

To: Garland, Jay[Garland.Jay@epa.gov]
From: EnergyGuardian
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Subject: Business groups warn tighter ozone rule will hurt economy

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Energy and environment headlines for the morning of Friday, August 14, 2015



Business groups warn tighter ozone rule will hurt economy

By Kevin Rogers

As the Environmental Protection Agency finalizes its new ground-level ozone standard by Oct. 1, a coalition of 370 business groups is cautioning the White House that a move to lower the current standard would "significantly damage the economy."

The groups, led by the American Petroleum Institute, on Thursday wrote White House Chief of Staff Dennis McDonough asking the administration to maintain the current standard of 75

parts per billion because lowering it would "bring vast swaths of the country into nonattainment."

EPA, in its proposed rule, took comment on a number of ozone standards. While the agency's proposed standard would lower ozone levels to between 65 and 70 ppb, it also took comment on maintaining the current standard or setting it as low as 60 ppb.

Opponents say that a number of counties are not in compliance with the current standard, and lowering the standard would harm new economic opportunities.

"If finalized, EPA's proposed stringent ozone standards could limit business expansion in nearly every populated region of the United States and risk the ability of U.S. companies to create new jobs," the groups said. "Standards in EPA's proposed range would immediately add red tape to companies seeking to grow even in areas that can attain those standards."

The groups also contended that the health impacts of a lower standard were uncertain, and said that lowering the standard would have unintended health impacts, through higher costs and lower economic growth.

"Studies show that by increasing the costs of goods and services such as energy, and decreasing disposable incomes, regulation can inadvertently harm the socio-economic status of individuals and, thereby, contribute to poor health and premature death," they wrote.

White House representatives did not return a request for comment on the groups' letter.

The push comes on the heels of a busy week for business groups pushing against a lower standard.

On Tuesday, the U.S. Chamber of Commerce released a [report](#) detailing how a lower standard would affect transportation projects in the Las Vegas region. It claimed that the rule would lead to delay in a monorail extension project, a highway widening and an effort to better separate freeway traffic.

On Wednesday, the Center for Regulatory Solutions, a project of the Small Business and Entrepreneurship Council, in a [report](#) said a lower standard would cause "serious and deleterious" economic damage to Colorado and block essential traffic-reduction projects.

The National Association of Manufacturers has launched ad campaigns in Washington, D.C. and Colorado this week to drum up support against a lower standard. NAM estimates that lowering the ozone standard to the 65 to 70 ppb range would cost the U.S. \$140 billion annually and cost \$1.7 trillion to comply from 2017 to 2040.

However, health groups also stepped up lobbying for a lower standard this week, calling for one that "fully protects the millions of Americans still at risk from dangerous levels of ozone pollution."

In a [letter](#) to President Barack Obama on Tuesday, groups including the American Lung Association, the National Medical Association and the American Academy of Pediatrics called on the administration to protect public health and ignore "scaremongering tactics."

"Under the law, the standards must be set based solely on the level needed to protect public health with an adequate margin of safety. The current ozone standard fails to meet that test," the groups wrote. "By adopting a truly protective ozone pollution limit, America will be closer to fulfilling the purpose of the Clean Air Act: to protect the health of all Americans from deadly dangers in the air we breathe."

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States backing Clean Power Plan vow to oppose stay

By Kevin Rogers

A group of attorneys general representing 15 states, New York City and the District of Columbia on Thursday vowed to defend the Obama administration and oppose a legal stay for the Environmental Protection Agency's Clean Power Plan to slash power plant carbon emissions.

The attorneys general said a petition to stay the rules, filed earlier Thursday by West Virginia and 14 other states in the U.S. Court of Appeals for the District of Columbia, was premature and would undermine public health.

"Like West Virginia's challenge to the proposed rule, which was dismissed by the courts, this filing is premature," they said. "If and when requests to stay the final rule are timely filed, after the rule has been published in the Federal Register, our coalition will formally oppose them."

The attorneys general represented New York, California, Connecticut, Delaware, Hawaii, Illinois, Iowa, Maine, Massachusetts, New Hampshire, New Mexico, Oregon, Rhode Island, Vermont and Washington.

West Virginia Attorney General Patrick Morrisey contended that since the rule for existing power plants already has established a September 2016 deadline for states to submit compliance plans, states opposing the rules didn't have to wait for final publication to challenge them.

The rules, finalized last week, seek to cut power plant emissions 32 percent by 2030, compared with 2005 levels.

National challenge of leaking mines dwarfs Colorado spill

By Matthew Brown, Michael Biesecker and P. Solomon Banda

SILVERTON, Colorado (AP) — It will take many years and many millions of dollars simply to manage and not even remove the toxic wastewater from an abandoned mine that unleashed a 100-mile-long torrent of heavy metals into Western rivers and has likely reached Lake Powell, experts said.

Plugging Colorado's Gold King Mine could simply lead to an eventual explosion of poisonous water elsewhere, so the safest solution, they said Thursday, would be to install a treatment plant that would indefinitely clean the water from Gold King and three other nearby mines. It would cost millions of dollars, and do nothing to contain the thousands of other toxic streams that are a permanent legacy of mining across the nation.

Federal authorities first suggested a treatment plant for Gold King more than a decade ago, but local officials and owners of a nearby mine were reluctant to embrace a federally-sponsored cleanup.

"They have been not pursuing the obvious solution," said Rob Robinson, a retired abandoned mines cleanup coordinator for the U.S. Bureau of Land Management. "My hope is this has embarrassed the hell out of them and they're going to finally take it seriously."

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Dems undeclared on Iran deal heed voters, not August ads

By Andrew Taylor

WASHINGTON (AP) — It was supposed to be a long and uncomfortable August for Democrats undecided about President Barack Obama's nuclear deal with Iran, but so far the political heat brought on by opponents of the much-contested accord is more of a simmer than a rolling boil.

Millions of dollars in television and online advertisements by an offshoot of the powerful American Israel Political Action Committee are aimed at more than a dozen states represented by undecided Democratic, among them Sens. Joe Manchin of West Virginia, Chris Coons of Delaware and Mark Warner of Virginia. The accord would curb Iran's nuclear program in exchange for relief from economic sanctions, and the House and Senate are slated to vote next month on a resolution of disapproval.

"Iran has violated 20 international agreements and is the leading state sponsor of terrorism," says the ad by Citizens for a Nuclear Free Iran, the AIPAC-sponsored group. "Congress should reject a bad deal. We need a better deal."

As political ads go, experts agree, the commercial is pretty tame. It makes a generic appeal. It doesn't ask viewers to take any action like calling their senator or congressman. And it

doesn't name names. Instead, it displays the group's website address, where those inclined to visit will find more information and get automated assistance in calling their lawmaker.

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In speech, Rubio slams Obama's outreach to Iran and Cuba

By Sergio Bustos

NEW YORK (AP) — Republican presidential candidate Marco Rubio is slamming President Barack Obama's outreach to Iran and Cuba, calling his diplomacy with the two nations evidence of "every flawed strategic, moral and economic notion" that has driven his foreign policy.

In a blistering speech Friday to the conservative-leaning Foreign Policy Initiative in New York, set for delivery the same day Secretary of State John Kerry re-opens the U.S. embassy in Havana, the Florida senator will say that Obama has made no efforts "to stand on the side of freedom."

"He has been quick to deal with the oppressors, but slow to deal with the oppressed," Rubio says in excerpts of prepared remarks released by his campaign. "And his excuses are paper-thin."

A member of the Senate Foreign Relations Committee, the Cuban-American lawmaker has made foreign policy a centerpiece of his campaign for president. In the speech, he pledges to "roll back" what he termed Obama's "concessions" to Cuba and the recently completed nuclear deal with Iran and says he will "repair the damage done to America's standing in the Middle East."

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El Nino likely this winter for drought-weary California

By Scott Smith

FRESNO, Calif. (AP) — Chances are strong that a record-setting El Nino is headed toward California this winter. What remains unknown is how it will play out for the state beset by four years of drought that fallowed farm fields, turned lawns brown and dried up streams and wells.

WHAT IS AN EL NINO?

Every few years, winds shift in the Pacific Ocean along the equator, warming the water more than usual. These El Nino events trigger changing weather patterns globally — and can increase chances of heavy rain and snow pelting California. Forecasters say this one is already the second strongest on record for this time of year and could be one of the most potent weather changers in 65 years. It's been unofficially named Bruce Lee after the action hero.

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A message from the American Petroleum Institute

America is now the world's #1 natural gas producer and will soon be #1 in oil. Now more than ever, abundant energy means abundant prosperity, opportunity and security for all Americans.

[Learn more at EnergyTomorrow.org](http://EnergyTomorrow.org)

Tesla to raise around \$500 million in public offering

By Dee-Ann Durbin

DETROIT (AP) — Electric car maker Tesla Motors said Thursday it hopes to raise around \$500 million in a stock offering that comes as it prepares to roll out its highly anticipated new SUV.

Tesla will offer 2.1 million shares and expects net proceeds of \$492.6 million. Tesla could make up to \$566.5 million if the underwriters exercise their option to buy additional shares.

Tesla CEO Elon Musk intends to purchase \$20 million worth of stock.

The company's shares rose 1 percent to \$240.94 in late afternoon trading.

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Gulf eats away at coast outside levee-protected New Orleans

By Cain Burdeau

DELACROIX, La. (AP) — Rocky Morales is watching his small Louisiana town of Delacroix slowly melt into the water. The woods where he played hide-and-seek as a boy are gone. It's all water and mud back there now. So, too, is the nearby marsh where townsfolk once trapped for muskrat, otter and mink.

Many of the fishermen who once lived here — his friends and relatives — have disappeared as well, fleeing behind the levees protecting New Orleans out of fear one more hurricane will send the rest of Delacroix into the sea.

Ten years after Hurricane Katrina ravaged the Gulf Coast — killing more than 1,830 people and causing more than \$150 billion in damage in the nation's costliest disaster — New Orleans has been fortified by a new \$14.5 billion flood protection system. But outside the iconic city, efforts have lagged to protect small towns and villages losing land every year to erosion. And as that land buffer disappears, New Orleans itself becomes more vulnerable.

In the past century, more than 1,880 square miles of Louisiana land has turned into open water — an area nearly the size of Delaware. And the loss continues, with an average 17 square miles disappearing annually, according to the U.S. Geological Survey.

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Air pollution killing 4,000 in China a day, US study finds

By Seth Borenstein

WASHINGTON (AP) — Air pollution is killing about 4,000 people in China a day, accounting for 1 in 6 premature deaths in the world's most populous country, a new study finds.

Physicists at the University of California, Berkeley, calculated that about 1.6 million people in China die each year from heart, lung and stroke problems because of incredibly polluted air, especially small particles of haze. Earlier studies put the annual Chinese air pollution death toll at 1 to 2 million, but this is the first to use newly released Chinese air monitoring figures.

The study released Thursday blamed emissions from the burning of coal, both for electricity and heating homes. The study, to be published in the journal PLOS One, uses real air measurements and then computer model calculations that estimate heart, lung and stroke deaths for different types of pollutants.

Study lead author Robert Rohde said that 38 percent of the Chinese population lives in an area with a long-term air quality average that the U.S. Environmental Protection Agency calls "unhealthy."

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FERC judge rules BP manipulated Texas natural gas market

An administrative judge for the Federal Energy Regulatory Commission has ruled that BP

manipulated prices in the Texas natural gas market in 2008, but the company plans to appeal the decision to the full FERC, The Wall Street Journal reports.

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Exxon moving to get Torrance refinery going

Exxon Mobil has filed an application with California regulators for a hearing Sept. 2 on restarting an old piece of equipment at its Torrance refinery, which was damaged by an explosion in February, FuelFix reports.

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Interior urged to divert some renewable funding to develop clean coal

Colin Marshall, the CEO of Cloud Peak Energy, told an Interior Department listening session Thursday that some of the government's clean energy funding needs to be re-routed from solar and wind to develop clean coal technology, Platts reports.

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Minnesota ahead of EPA carbon targets: Report

A [report](#) by the Union of Concerned Scientists, analyzing states' progress toward meeting the targets in the Environmental Protection Agency's Clean Power Plan, found that Minnesota's moves to encourage renewable energy put the state ahead of agency carbon emissions targets, Minnesota Public Radio reports.

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California regulators mull reliability options

Facing the San Onofre nuclear plant retirement, the California Energy Commission is exploring options for keeping the grid running smoothly in southern California, which include the quick construction of a backup natural gas-fired plant, Platts reports.

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Oil down further as stockpiles build

Oil continued its slide on Friday over concerns about mounting stockpiles and problems with U.S. refinery outages. West Texas Intermediate crude lost 24 cents to \$41.99 a barrel in electronic trading on the Nymex -- trading at levels not seen since March 2009 -- while in London Brent fell 10 cents to \$49.12, Reuters reports.

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No drilling auction until LWCF reauthorized: Greens

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Environmentalists are urging that the Obama administration postpone an auction for offshore leases in the Gulf of Mexico until Congress agrees to reauthorize the Land and Water Conservation Fund, FuelFix reports.

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Brace for more food shortages, civil unrest, climate task force warns

The Taskforce on Extreme Weather and Global Food System Resilience warned Friday that severe food shortages, price spikes and market volatility are likely to happen every 30 years rather than once a century, urging policymakers to take steps to prevent civil unrest, Reuters reports.

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California pension funds hit hard by energy bust

Declines in energy stocks as a result of the slide in crude oil prices have wiped more than \$5 billion off the value of investments by California's two big public pension funds: the California Public Employees' Retirement System and the California State Teachers' Retirement System, the Los Angeles Times reports.

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ERCOT: Conservation demand sufficient to keep Texas lights on

Generator outages prompted the Electric Reliability Council of Texas to issue a conservation alert Thursday afternoon, which the grid operator said was enough to head off the need for rolling blackouts, The Associated Press reports.

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